

June 15, 2012

REGULAR MEETING AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
June 15, 2012

- I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:00 A.M. AT 160 NORTH LASALLE STREET, SUITE S-901, CHICAGO, ILLINOIS

- II. PRESENT

- III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD MAY 18, 2012

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD MAY 18, 2012?

IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

A. Report on Exempt Positions from Central Management Services

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	137.....	11
Agriculture	345.....	16
Arts Council	18.....	2
Capitol Development Board.....	43.....	0
Central Management Services.....	1,596.....	113
Children and Family Services	2,867.....	49
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	393.....	67
Commerce Commission	76.....	0
Corrections.....	11,326.....	105
Criminal Justice Authority	61.....	5
Deaf and Hard of Hearing Comm.....	7.....	1
Developmental Disabilities Council.....	8.....	1
Emergency Management Agency.....	89.....	6
Employment Security.....	1,799.....	26
Environmental Protection Agency.....	849.....	16
Financial & Professional Regulation.....	462.....	42
Gaming Board.....	130.....	5
Guardianship and Advocacy	101.....	7
Healthcare and Family Services	2,088.....	25
Historic Preservation Agency.....	175.....	11
Human Rights Commission.....	14.....	2
Human Rights Department.....	139.....	8
Human Services	12,577.....	76
Illinois Sentencing Policy Advisory Council.....	2.....	2
Illinois Torture Inquiry Relief Commission	2.....	1
Insurance	250.....	13
Investment Board	2.....	1
Juvenile Justice.....	1,253.....	20
Labor.....	91.....	9
Labor Relations Board Educational.....	11.....	2
Labor Relations Board State.....	17.....	2
Law Enforcement Training & Standards Bd.	18.....	2
Lottery.....	150.....	6
Military Affairs	125.....	3
Natural Resources	1,158.....	28
Pollution Control Board	22.....	1
Prisoner Review Board.....	20.....	0
Property Tax Appeal Board.....	29.....	1
Public Health.....	1,061.....	41
Racing Board.....	2.....	1
Revenue.....	1,662.....	51
State Fire Marshal	129.....	12
State Police.....	1,173.....	6
State Police Merit Board	5.....	1
State Retirement Systems.....	97.....	2
Transportation	2,311.....	0
Veterans' Affairs	1,280.....	9
Workers' Compensation Commission.....	132.....	8
TOTALS	46,306.....	816

B. Governing Rule – Section 1.142 Jurisdiction B Exemptions

- a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
 - 1) The amount and scope of principal policy making authority;
 - 2) The amount and scope of principal policy administering authority;
 - 3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;
 - 4) The capability to bind the agency, board or commission to a course of action;
 - 5) The nature of the program for which the position has principal policy responsibility;
 - 6) The placement of the position on the organizational chart of the agency, board or commission;
 - 7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.
- b) The Commission may, upon its own action after 30 days notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption set forth in subsection (a). However, rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
- c) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification.
- d) Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which action is to be taken and present objections to the exemption request.

(Source: Amended at 34 Ill. Reg. 3485, effective March 3, 2010)

* * *

C. Illinois Department of Central Management Services – Proposed Exemption

Position Number	40070-37-04-000-01-01
Position Title	Senior Public Service Administrator
Bureau/Division	Business Enterprise Program
Functional Title	Associate Deputy Director, Business Enterprise Program (BEP)
Incumbent	Vacant
Supervisor	Deputy Director who reports to the Director
Location	Cook County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

D. Illinois Department of Children & Family Services– Proposed Exemption

Position Number	40070-16-03-110-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Legal Services
Functional Title	Assistant Deputy General Counsel for Southern Region
Incumbent	Gregory Seifert
Supervisor	Deputy General Counsel-Downstate who reports to the Director
Location	Sangamon County

CMS Recommendation: “While the position may not meet the reporting criteria of the Commission Rules, we believe the position does include elements similar to other positions granted 4d(3) exemption and therefore warrants the Commission’s consideration of the position for exemption.”

E. Illinois Emergency Management Agency – Proposed Continuation of Exemption (expires June 15, 2012)

Position Number	37015-50-17-040-00-03
Position Title	Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Senior Policy Advisor
Incumbent	Phil Anello
Supervisor	Director
Location	Sangamon County

CMS Recommendation: “This position continues to meet the responsibility and reporting criteria of the Commission Rules, and I recommend continuance of the 4d(3) exemption.”

F. Illinois Department of Human Services – Proposed Exemption

Position Number	40070-10-11-200-00-01 ¹
Position Title	Senior Public Service Administrator
Bureau/Division	Human Resources
Functional Title	Chief of the Bureau of Recruitment and Selection
Incumbent	Vacant
Supervisor	Human Resources Director who reports to the Director
Location	Cook County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

G. Illinois Department of Labor – Proposed Exemption

Position Number	40070-15-00-000-00-03
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Chief of Staff
Incumbent	Vacant
Supervisor	Director
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

H. Illinois Department of Labor – Proposed Exemption

Position Number	40070-15-10-100-00-02
Position Title	Senior Public Service Administrator
Bureau/Division	Administration
Functional Title	Chief Information Officer
Incumbent	Vacant
Supervisor	Director
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

¹ 4d(3) exemption was previously rescinded on May 18, 2012.

WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?

- C: Associate Deputy Director, Business Enterprise Program (Central Management Services)**
- D: Assistant Deputy General Counsel for Southern Region (Children & Family Services)**
- E: Senior Policy Advisor (Emergency Management Agency)**
- F: Chief of the Bureau of Recruitment and Selection (Human Services)**
- G: Chief of Staff (Labor)**
- H: Chief Information Officer (Labor)**

V. CLASS SPECIFICATIONS

- **None submitted.**

WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?

VI. MOTION TO CLOSE A PORTION OF THE MEETING

PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION HOLD AN EXECUTIVE SESSION TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?

VII. RECONVENE THE REGULAR OPEN MEETING

VIII. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

Agency	4/30/12	5/31/12	5/31/11
Aging	1	1	0
Arts Council	1	1	0
Central Management Services	0	0	1
Children and Family Services	3	4	2
Corrections	1	0	0
Employment Security	0	0	12
Healthcare and Family Services	3	3	4
Human Rights	1	1	0
Human Services	4	1	2
Natural Resources	1	3	5
Property Tax Appeal Board	0	0	6
Veterans' Affairs	0	0	1
Totals	15	14	33

IX. INTERLOCUTORY APPEAL

LA-7-12

Employee	Katherine Levin	Appeal Date	08/10/11
Agency	Educational Labor Relations Board	Order Date	05/17/12
Type	Layoff	ALJ	Andrew Barris
Issue(s)	Does the Commission have jurisdiction to hear the appeal?	Order	The Commission has jurisdiction.

IS IT THE RESOLUTION OF THE COMMISSION THAT IT HAS JURISDICTION OVER THIS MATTER AS STATED IN THE MAY 17, 2012 ORDER?

X. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEAL

DA-15-12²

Employee	Orelia Cornell-Underwood	Appeal Date	9/13/11
Agency	Human Services	Decision Date	6/04/12
Type	Discharge	Proposal for Decision	30-day suspension plus the duration of her suspension pending discharge
ALJ	Daniel Stralka		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

DA-17-12

Employee	Beverly C. Ware	Appeal Date	9/14/11
Agency	Human Services	Decision Date	6/04/12
Type	Discharge	Proposal for Decision	Discharge upheld.
ALJ	Daniel Stralka		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

DA-18-12

Employee	Ravic L. Gray	Appeal Date	9/15/11
Agency	Human Services	Decision Date	6/04/12
Type	Discharge	Proposal for Decision	30-day suspension plus the duration of his suspension pending discharge.
ALJ	Daniel Stralka		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

DA-29-12

Employee	Julian Avila	Appeal Date	10/25/12
Agency	Veterans' Affairs	Decision Date	05/31/12
Type	Discharge	Proposal for Decision	Discharge upheld.
ALJ	Andrew Barris		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

² DA-15-12, DA-17-12, and DA-18-12 were consolidated on October 11, 2011.

June 15, 2012

XI. STAFF REPORT

XII. REVIEW OF EXECUTIVE SESSION MINUTES PURSUANT TO OPEN MEETINGS ACT

AFTER REVIEW OF THE EXECUTIVE SESSION MINUTES PURSUANT TO THE OPEN MEETINGS ACT, WILL THE COMMISSION AGREE THAT THE NEED FOR CONFIDENTIALITY STILL EXISTS?

XIII. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

The next regular open meeting is to be held on Friday, July 20, 2012 at 11:00 a.m. in the Commission's Chicago office.

XIV. MOTION TO ADJOURN